**LAW OFFICE OF
HENRY T. BRENDZEL**
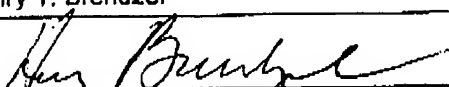
		Date:	January 29, 2009
To:	Examiner: Thujuan Knowlin Addy	**From:**	Henry T. Brendzel, Esq
Fax:	571-272-8300	**Fax:**	(973) 467-6589
Phone:	571-272-7486	**Phone:**	(973) 467-2025
Re:	Serial No: 10/719418	**Pages:**	Cover + 7

Henry Brendzel

TRANSMITTAL FORM
(to be used for all correspondence after initial filing)

	Complete if Known	
Application Number	10/719418
Filing Date	11/24/2003
First Named Inventor	Wesley A. Brush
Examiner Name	Thujuan Knowlin Addy
Group/Art Unit	2642
Total number of pages in this Submission: this page, plus **6**	Attorney Docket ID	Brush 113579con

If Fee Form is not included, but a fee is due, the Commissioner is Authorized to charge Deposit Account of Henry T. Brendzel No 500732 of, and consider that appropriate requests that give rise to the fees (such as for an extension of time) have been made.

ENCLOSURES *(check all that apply)*

- [ ] Fee Form ([ ] Check Included)
- [x] Amendment/Response
  - [x] After Final
- [ ] Affidavit(s)/Declaration(s)
- [ ] Extension of Time Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Response to Missing Parts under 37 CFR 1.2 or 1.53

- [ ] Declaration (no Missing Parts Notice)
- [ ] Assignment Papers (for an Application)
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] To Convert a Provisional Application
- [ ] Power of Attorney, Revocation or Change of Correspondence Address
- [ ] Express Abandonment
- [ ] Terminal Disclaimer
- [ ] To Convert to Statutory Invention Registration

- [ ] Postcard(s)
- [ ] Small Entity Statement
- [ ] Request for a Refund
- [ ] After Allowance Communication to group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
- [ ] Proprietary Information
- [ ] Status Letter
- [ ] Other

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Henry T. Brendzel	
Signature	*[signature]*	Date 1/29/09

CERTIFICATE OF MAILING/FACSIMILE TRANSMISSION

- [ ] 1st class mail: I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class Mail service, in an envelop addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA22313-1450 on the date shown herein.
- [x] Fax: I hereby certify that this correspondence is being electronically transmitted by facsimile to the United States Patent Office on the date shown herein.

Henry Brendzel	*[signature]*	1/29/09
Name of Person Signing	Signature	Date

Brush 113579con

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s)	Wesley A. Brush	Serial No.	10/719418
	James M. Carnazza	Filing Date	11/24/2003
	Romel Khan	Examiner	Thjuan K. Addy
Case Name	Brush 113579con	Art Unit	2614
Title	System and Method for Using an Intelligent Peripheral to Supply Telephone Service		

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

AMENDMENT AFTER FINAL - REMARKS

A telephone conversation was held with the Examiner on January 28, 2009. Though the Examiner was courteous, it was not fruitful. The undersigned extended an offer to narrow an independent claim by adding a word and to, thereby, place the case more clearly in condition for allowance. The Examiner declined. This is too bad because declining to entertain a discussion about a change that would place the case in condition for allowance misses a opportunity to advance prosecution with minimum expenditure of time and effort on both sides.

Claims 1-15 were rejected under 35 USC 102 as being anticipated by Sattar et al, US Patent 5,572,581. Applicants respectfully traverse.

This rejection was addressed by applicants in the previous Office Action, and the Examiner kindly addressed it in the "Response to Arguments" segment of the Office Action.

Applicant's position is that the phrase "which message specifies a communication protocol parameter" in clause (a) of claim 1 means that the message specifies a parameter that pertains to a communication protocol, which means that the parameter specifies the communication protocol.

The Examiner's position is that

1